
**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

No. 23-15900

ALLIANCE FOR FAIR BOARD RECRUITMENT,
Plaintiff-Appellant,

v.

SHIRLEY N. WEBER, IN HER OFFICIAL CAPACITY AS SECRETARY OF STATE OF THE
STATE OF CALIFORNIA,
Defendant-Appellee.

No. 23-15901

ALLIANCE FOR FAIR BOARD RECRUITMENT,
Plaintiff-Appellee,

v.

SHIRLEY N. WEBER, IN HER OFFICIAL CAPACITY AS SECRETARY OF STATE OF THE
STATE OF CALIFORNIA,
Defendant-Appellant.

**On Appeal from the United States District Court
for the Eastern District of California**

No. 21-cv-01951

Hon. John A. Mendez, Judge

STATUS REPORT

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October 16, 2023

On July 17, 2023, this Court stayed the briefing in these cross-appeals pending the appeals of the decisions in *Crest et al. v. Padilla*, Case No. 19STCV27561 (Los Angeles Super. Ct.) (*Crest 1*) and *Crest et al. v. Padilla*, Case No. 20STCV37513 (Los Angeles Super. Ct.) (*Crest 2*). The Court further ordered the parties to submit a written status report by October 16, 2023 and every 90 days thereafter while the appeals remain pending in state court.

On August 21, 2023, Secretary of State Shirley N. Weber, Defendant-Appellant and Defendant-Appellee (Secretary), filed unopposed requests to hold the *Crest 1* and *Crest 2* appeals in abeyance pending the decision of the California Supreme Court in case No. S270535, entitled *Taking Offense v. State of California*. On August 31, 2023, the California Court of Appeal granted the requests in both *Crest 1* and *Crest 2*. As of the date of this status report, the appeals remain stayed in state court.

Alliance for Fair Board Recruitment, Plaintiff-Appellee and Plaintiff-Appellant, intends to move this Court to unstay these cross-appeals. The Secretary intends to oppose the motion.

Respectfully submitted,

Dated: October 16, 2023

s/ Irina Trasovan

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